

**From:** [Washburn, Ben](#)  
**To:** [Carey, Curtis](#)  
**Cc:** [Brees, Angela](#)  
**Subject:** RE: Desk Statement Options regarding Senate Bill 2306  
**Date:** Wednesday, February 03, 2016 7:25:00 AM

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Do you want me to post to SM?

Benjamin M. Washburn  
Public Affairs Specialist  
EPA Region 7  
(913) 551-7364

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**From:** Carey, Curtis  
**Sent:** Tuesday, February 02, 2016 5:34 PM  
**To:** Distefano, Nichole <DiStefano.Nichole@epa.gov>; Smith, Roxanne <Smith.Roxanne@epa.gov>; Hull, George <Hull.George@epa.gov>; Purchia, Liz <Purchia.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Cohen, Nancy <Cohen.Nancy@epa.gov>; Deitz, Randy <Deitz.Randy@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Washburn, Ben <washburn.ben@epa.gov>; Brees, Angela <Brees.Angela@epa.gov>; Sanders, LaTonya <Sanders.Latonya@epa.gov>  
**Subject:** RE: Desk Statement Options regarding Senate Bill 2306

Here's the update with the additional paragraph:

**Desk Statement Regarding **Passage** of Bill Authorizing Transfer of West Lake Site to USACE**

EPA is aware the Senate recently took the first step in a lengthy process to authorize the transfer of the West Lake Landfill Superfund Site from EPA jurisdiction to the U.S. Army Corps of Engineers. Until the bill passes the House and is signed into law by the President, EPA retains its responsibility as the lead federal agency at the site and will work diligently to protect the public from the wastes contained at the West Lake Landfill. EPA remains focused on overseeing work related to the proposed isolation barrier and continues to work toward a final remedy proposal by the end of 2016.

EPA is making good progress at the Superfund Site. We have an enforceable work schedule with the parties that requires the submission of evaluations necessary for EPA to propose a final remedy for public comment by the end of 2016. In addition, at the end of December 2015, EPA announced a decision to require the potentially responsible parties to build an isolation barrier to separate radioactive material from an underground smoldering event in an adjacent landfill. The decision calls for the installation of additional engineering controls, such as cooling loops, cover, and additional monitoring to prevent potential impacts that could result if an underground smoldering event were to come into contact with the radioactive materials contained in the West Lake Landfill. Also in December 2015, EPA announced an enforceable removal action to develop and implement surface fire prevention measures at the West Lake Landfill Site. The order requires extensive prevention plans including placing material over all exposed areas where radioactive material is currently known to be at or near the surface. Field work on surface fire prevention measures is

expected to begin soon and be completed by the end of this spring.

**Desk Statement Regarding Non-Passage of Bill Authorizing Transfer of West Lake Site to USACE**

EPA is aware the Senate voted on, but did not pass, a bill authorizing the transfer of the West Lake Landfill Superfund Site from EPA to the U.S. Army Corps of Engineers. As the lead federal agency at the site, EPA will continue to work with its partners to protect the public from the wastes contained at the West Lake Landfill. EPA remains focused on overseeing work related to the proposed isolation barrier and continues to work toward a final remedy proposal by the end of 2016.

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**From:** Distefano, Nichole

**Sent:** Tuesday, February 02, 2016 2:29 PM

**To:** Carey, Curtis <[Carey.Curtis@epa.gov](mailto:Carey.Curtis@epa.gov)>

**Cc:** Smith, Roxanne <[Smith.Roxanne@epa.gov](mailto:Smith.Roxanne@epa.gov)>; Hull, George <[Hull.George@epa.gov](mailto:Hull.George@epa.gov)>; Purchia, Liz <[Purchia.Liz@epa.gov](mailto:Purchia.Liz@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Cohen, Nancy <[Cohen.Nancy@epa.gov](mailto:Cohen.Nancy@epa.gov)>; Deitz, Randy <[Deitz.Randy@epa.gov](mailto:Deitz.Randy@epa.gov)>; Levine, Carolyn <[Levine.Carolyn@epa.gov](mailto:Levine.Carolyn@epa.gov)>; Washburn, Ben <[washburn.ben@epa.gov](mailto:washburn.ben@epa.gov)>; Brees, Angela <[Brees.Angela@epa.gov](mailto:Brees.Angela@epa.gov)>; Sanders, LaTonya <[Sanders.Latonya@epa.gov](mailto:Sanders.Latonya@epa.gov)>

**Subject:** Re: Desk Statement Options regarding Senate Bill 2306

Is there a way we can fold in all the ongoing work we are doing with a participating PRP. I think we should use this as an opportunity frame a message.

Suggest looping in Mathy and OLEM comms

Sent from my iPhone

On Feb 2, 2016, at 3:09 PM, Carey, Curtis <[Carey.Curtis@epa.gov](mailto:Carey.Curtis@epa.gov)> wrote:

Thanks to Carolyn, we understand that Senators Blunt and McCaskill are working to fast

track the subject senate bill that would move West Lake Landfill from EPA CERCLA authority to USACE FUSRAP authority. We have two desk statements if it is or is not passed in the Senate.

R7 is prepared to manage the media inquiries with these desk statements. They do not contain any Administration policy statements on whether it is advisable to move the landfill from EPA to USACE. The Administration has not defined position has been defined at this point.

**Desk Statement Regarding **Passage** of Bill Authorizing Transfer of West Lake Site to USACE**

EPA Region 7 is aware the Senate recently took the first step in a lengthy process to authorize the transfer of the West Lake Landfill Superfund Site from EPA jurisdiction to the U.S. Army Corps of Engineers. Until the bill passes the House and is signed into law by the President, EPA retains its responsibility as the lead federal agency at the site and will work diligently to protect the public from the wastes contained at the West Lake Landfill. EPA remains focused on overseeing work related to the proposed isolation barrier and continues to work toward a final remedy proposal by the end of 2016.

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Curtis D. Carey, Ph.D.

Region 7 Public Affairs Director

U.S. Environmental Protection Agency

913-551-7506

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